

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Document Relates To:

Bellwether III Cases
Case No. 17-10164

_____/

**JOINT STIPULATION REGARDING DR. SPECHT RELATED
DEADLINES FOR BELLWETHER III TRIAL**

Bellwether III Plaintiffs and Defendants Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC (the “VNA Defendants”) have come to an agreement supplementing and extending certain deadlines set forth on the Court’s latest scheduling order [ECF. No. 2533].¹ Accordingly, Plaintiffs and the VNA Defendants stipulate and agree to the following pre-trial deadlines:

¹ The additional or modified deadlines are indicated in red font.

DR. SPECHT/ RESPONSIVE TO

<u>Event</u>	<u>Deadline/ Date Range</u>
Dr. Specht MATLAB code delivered (in different format)	September 5, 2023
Dr. Specht Deposition	September 25, 2023 through September 29, 2023
Defendants' Expert Report and Disclosure -- response to Dr. Specht	October 27, 2023
Plaintiffs' Reply Expert Report -- replying to response to Dr. Specht	November 13, 2023
Defendants' Reply Expert Report -- response to Dr. Specht	November 27, 2023
Defendants' Expert Deposition -- response to Dr. Specht (shall be limited to new or additional reports)	November 29, 2023 to December 13, 2023
Plaintiffs' Reply Expert Report Depositions -- of Dr. Specht	December 18, 2023 to December 22, 2023

**DR. BITHONEY & POTENTIAL REPLACEMENT/ RESPONSIVE TO (GROUP B)
AND DR. KRISHNAN AND DR. HOFFMAN/ RESPONSIVE TO**

<u>Event</u>	<u>Deadline/ Date Range</u>
Due Date for Dr. Bithoney Replacement Expert Report and Complete Disclosure	August 16, 2023
Depositions of Plaintiffs' Experts (Dr. Bithoney and Replacement of Dr. Bithoney) + Defendants' IMEs of Plaintiffs (if needed)	September 18, 2023 to October 9, 2023
Defendants' Expert Reports and Disclosures (for experts responsive to Dr. Bithoney or Dr. Bithoney replacement ("Group B Defense Experts"))	October 23, 2023

Plaintiffs' Reply Expert Reports (for those who are responsive to Group B Defense Experts) And Dr. Krishnan-Jourdan & Dr. Hoffman	November 10, 2023
Defendants' Reply Expert Reports (for Group B Defense Experts) And responsive to Dr. Krishnan-Jourdan & Dr. Hoffman	November 27, 2023
Defendants' Expert Depositions (of Group B Expert Reports) (shall be limited only to those experts for whom the parties submit new or additional reports) And responsive to Dr. Krishnan-Jourdan & Dr. Hoffman	November 20, 2023 to December 11, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group B Defense Experts) And responsive to Dr. Krishnan-Jourdan & Dr. Hoffman	December 13, 2023 to December 20, 2023

DR. CRAKES AND DR. RUSSELL/ RESPONSIVE TO

<u>Event</u>	<u>Deadline/ Date Range</u>
Defendants' Expert Reports and Disclosures (for experts not responsive to Dr. Bithoney ("Group A Defense Experts"))	July 26, 2023
Plaintiffs' Reply Expert Reports (for those who are responsive to Group A Defense Experts)	September 19, 2023
Defendants' Reply Expert Reports (for Group A Defense Experts)	October 30, 2023
Defendants' Expert Depositions (of Group A Defense Experts) (shall be limited only to those experts for whom the parties submit new or additional reports)	November 1, 2023 to November 22, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group A Defense Experts)	November 1, 2023 to November 27, 2023

REMAINING DEADLINES

<u>Event</u>	<u>Deadline/ Date Range</u>
Daubert and Summary Judgment Motions	December 29, 2023
Daubert and Summary Judgment Response Briefs	February 5, 2024
Daubert and Summary Judgment Reply Briefs	February 19, 2024

Oral Argument on Daubert Motions	April 22, 2024 2:00pm cont'd if needed on April 23, 2024 2:00pm
Oral Argument on Summary Judgment Motions	April 24, 2024 2:00pm cont'd if needed on April 25, 2024 2:00pm
Deadline for Parties to Submit Joint Proposed Jury Questionnaire to the Court (via e-mail)	July 15, 2024
Status Conference on Jury Questionnaire Content	July 22, 2024 2:00pm
Motions in Limine—Opening Briefs	July 29, 2024
Motions in Limine—Response Briefs	August 12, 2024
Motions in Limine—Reply Briefs	August 19, 2024
Deadline for Parties to Ship 200 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	September 6, 2024
Hearing on motions in limine (the Court will notify the parties in advance as to which motions will be argued)	September 12, 2024 10:30am
Summoned Jurors to Courthouse to Answer Questionnaires (Court Staff Only) (Jury Department takes approximately one week to process questionnaires and make them available to counsel and the Court)	September 13, 2024

Deposition Designations (due for exchange between parties)	Parties to propose deadline
Objections to Deposition Designations and Counter-Designations (due for exchange between parties)	Parties to propose deadline
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court (via e-mail)	September 16, 2024
Parties to File Jointly Proposed Jury Instructions and Verdict Form	September 16, 2024
Parties to Submit Joint Final Pretrial Order (use Utilities function in CM/ECF and e-mail)	September 16, 2024
Parties to Submit Jointly Proposed Voir Dire Questions and Joint Statement of the Case (via e-mail)	September 20, 2024
Status Conference Regarding Excusals Based on Jury Questionnaire Responses	TBD
Final Pretrial Conference and Hearing on proposed Jury Instructions and Verdict Form	September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am
Deadline for Court to Inform Jury Dept of Excusals Based on Questionnaires (Court Staff Only)	October 2, 2024
Hearing Regarding Misc. Pretrial Matters (if needed)	October 7, 2024
First Day of Trial/Voire Dire	October 8, 2024

Dated: August 15, 2023

Respectfully submitted,

/s/ Corey M. Stern

Corey M. Stern
Melanie Daly
LEVY KONIGSBERG, LLP
605 3rd Ave., 33rd Floor
New York, NY 10158
(212) 605-6200
cstern@levylaw.com

/s/ Patrick J. Lanciotti

Patrick J. Lanciotti
NAPOLI SHKOLNIK PLLC
360 Lexington Avenue, 11th Floor
New York, NY, 10017
(212) 397-1000
planciotti@napolilaw.com

ATTORNEYS FOR BELLWETHER III PLAINTIFFS

CAMPBELL CONROY &
O'NEIL, P.C.

MAYER BROWN LLP

/s/ James M. Campbell

James M. Campbell
Alaina N. Devine
20 City Square, Suite 300
Boston, MA 02129
(617) 241-3000
jmcampbell@campbell-trial-lawyers.com
adevine@campbell-trial-lawyers.com

/s/ Michael A. Olsen

Michael A. Olsen
71 S. Wacker Drive
Chicago, IL 60606
(312) 782-0600
molsen@mayerbrown.com

***ATTORNEYS FOR VEOLIA WATER NORTH AMERICA OPERATING
SERVICES, LLC, VEOLIA NORTH AMERICA, LLC, AND VEOLIA NORTH
AMERICA, INC.***

CERTIFICATE OF SERVICE

I, Melanie Daly, hereby certify that on August 16, 2023, the foregoing document and the attached exhibits were served on all counsel of record via the court's ECF system.

/s/ Melanie Daly
Melanie Daly